

**To:** steve.hagle@tceq.texas.gov[steve.hagle@tceq.texas.gov]  
**Bcc:** Smith, Suzanne[Smith.Suzanne@epa.gov]  
**From:** Stenger, Wren  
**Sent:** Wed 5/24/2017 3:21:48 PM  
**Subject:** Tx Transport abeyance

FYI only .We obviously didn't get what I thought we were discussing...for transport to be held in abeyance while we resolved reg haze, transport, possible other issues. Anyway, wanted you to know the Tx AG is asking for a meeting. Maybe he isn't aware of your May 31 meeting with industries and June 6 call with us?? Since we will be scheduling the meeting via DOJ with AG, I asked that we focus the discussion on Reg Haze, not just transport.

**From:** "Pritzlaff, Craig" <Craig.Pritzlaff@oag.texas.gov>  
**Date:** May 22, 2017 at 10:42:41 AM EDT  
**To:** "Dona, Amy (ENRD)" <Amy.Dona@usdoj.gov>  
**Cc:** "Kolman, Chloe (ENRD)" <Chloe.Kolman@usdoj.gov>, "Hubenak, Priscilla" <Priscilla.Hubenak@oag.texas.gov>, "Gidiere, Stephen" <SGidiere@balch.com>  
**Subject:** Texas v. EPA, 16-60670

Amy,

Good morning, as we discussed last week, dismissal by the Court was not the intent of Texas in agreeing to temporarily abate briefing in this matter while TCEQ/EPA engaged in discussions to potentially resolve this matter. Nevertheless, this is one way the Court can handle requests to abate and this is the process the Court has elected to use here. I spoke with the Clerk's office, who confirmed we can reinstate the case at any time within 180 days by letter and that this is primarily a docket control matter.

Therefore, I request that DOJ coordinate an initial meeting or call with TCEQ/EPA/OAG/DOJ to be held within 2 weeks to discuss EPA's positions and ideas for resolution. I also request that DOJ assist with coordinating regular follow-up calls/meetings thereafter to maintain momentum. If after 30 days, sufficient progress has not been made, we intend to seek immediate reinstatement and request that a scheduling order be issued for remaining briefing deadlines. For attendance at the initial meeting, including myself, the following TCEQ personnel should be included (plus whatever staff they deem necessary):

Caroline Sweeny, Deputy Director, TCEQ Office of Legal Services

Amy Browning, TCEQ Staff Attorney

Steve Hagle, Deputy Director, TCEQ Office of Air

David Brymer, Director, Air Quality Division, TCEQ Office of Air

Please let me know if you have any questions.

- Craig

Craig J. Pritzlaff

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